

FILED IN OPEN COURT
ON 6-8-2023 BC
Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NC

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

NO. 7:23-mj-1063-RJ

UNITED STATES OF AMERICA)

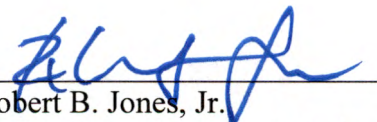
v.)

JOHN W. RICH)

ORDER

Pursuant to Rule 5(f)(1) of the Federal Rules of Criminal Procedure, as amended by the Due Process Protections Act, Pub. L. No. 116-182, 134 Stat. 894 (Oct. 21, 2020), the court hereby confirms the government's disclosure obligation under *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny. *See Brady*, 373 U.S. at 87 ("[T]he suppression by the prosecution of evidence favorable to an accused upon request violates due process where the evidence is material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution."). Failure by the government to comply with its disclosure obligation may result in the exclusion of evidence, adverse jury instructions, dismissal or reversal of charges, vacatur of sentence, contempt proceedings, or imposition of sanctions, among other consequences.

SO ORDERED, the 8 day of June, 2023.


Robert B. Jones, Jr.
United States Magistrate Judge